

REMARKS

This amendment is filed in response to the Office Action mailed April 15, 2005, the shortened statutory period for filing a response having expired on July 15, 2005. Applicants submit herewith a three-month extension petition to reset the deadline for responding to the Official Action to and including October 15, 2005. In view of the amendments and remarks contained herein, reconsideration of the Examiner's rejections and notice of allowance of all pending claims is respectfully requested.

Applicants initially wish to extend their gratitude for the Examiner's indication that claim 39 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicants have reviewed claim 39 in relation to the art cited by the Examiner in his present rejections. It appears that the patentable subject matter of claim 39 is at least the feature of the interior handle lock cooperating with the grip device on the pistol-type handle, where the interior handle lock moves between an engaged and disengaged position. As will be discussed more fully below, Applicants have endeavored to include a similar feature in each of the remaining independent claims to place each of the remaining claims in a condition for allowance.

As originally filed, this application contained claims 1-39. Claims 26-36 were withdrawn in light of Applicants' election of Group 1, claims 1-25 and 37-39, in the February 14, 2005, Response to Restriction Requirement. Claims 26-36 have now been cancelled. As such, claims 1-25 and 37-39 are presently pending.

Applicants note that the present Office Action Summary incorrectly indicates that claims 22-24 have been withdrawn. However, the Detailed Action rejects claims 22-24, correctly treating those claims as pending. Despite the statement on the

Office Action Summary, claims 22-24 remain pending in the present application, albeit in their currently rejected status.

Claims 1-4 and 2-14 have been rejected under 35 U.S.C. § 102(d) as being anticipated by U.S. Patent No. 2,368,297, issued to Hanke ("*Hanke*"). Applicants have amended claim 1 to feature "an angled handle providing an elongate arm forming a pistol-type gripping portion and a handle grip member, said grip handle member movable between a first position adjacent said pistol-type gripping portion and a second position spaced away from said pistol-type gripping portion." The disclosure of *Hanke* does not provide for an angled handle having an elongate arm forming a pistol-type gripping portion and a handle grip member, where the grip member is movable between two positions. Accordingly, claim 1 is deemed allowable over the *Hanke* reference.

Claims 2-4 and 12-14 ultimately depend from claim 1, and are likewise deemed allowable. Notwithstanding, it is also believed that claims 2-4 and 12-14 include additional patentable subject matter.

Claims 15-21 and 25 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,666,727 issued to Wang ("*Wang*"). Claim 15 has been amended to include the feature of a pistol-type handle, where the handle comprises "an elongate arm and a trigger, portions of said trigger separable from said arm to permit said handle to attach to said base, wherein said trigger may be brought into a position adjacent said arm to lock said handle to said base." The disclosure of *Wang* does not include these features. Accordingly, claim 15 is deemed allowable over *Wang*.

Claims 16-21 and 25 ultimately depend from claim 15, and are likewise deemed allowable. It is also believed that claims 16-21 and 25 include additional patentable subject matter.

Claims 22-24, 37, and 38 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,260,733 issued to Eimerman ("*Eimerman*").

Claim 22 has been amended to include the features of an angled pistol-type gripping handle used while cooking, where "the cooking handle comprises a pistol-type gripping portion and a trigger, portions of the trigger separable from the pistol-type gripping portion to allow the handle to be attached to the vessel and movable toward the pistol-type gripping portion to lock said handle to said vessel." *Eimerman* does not include such features. Accordingly, claim 22 is deemed allowable over *Eimerman*.

Claims 23 and 24 ultimately depend from claim 22, and are likewise deemed allowable. Notwithstanding, it is also believed that claims 23 and 24 include additional patentable subject matter.

Claims 5 and 7-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hancke* in view of *Wang*. Claims 5 and 7-11 ultimately depend from claim 1, and are deemed allowable. Notwithstanding, it is believed that claims 5 and 7-11 include additional patentable subject matter.

Claim 37 has been amended to include the allowable features of claim 39, and is deemed allowable. Claim 38 depends from claim 37 and is likewise deemed allowable. It is also believed that claim 38 includes additional patentable subject matter. Claim 39 has been cancelled.

Claim 40 is a new claim which has been added to claim certain aspects of the subject matter which Applicants consider to be their invention. No new matter has been added by this amendment. In fact, although Applicants have amended many of the claims in this application, no new matter has been added in any of the Amendments. These amendments are believed to overcome each of the rejections set forth in the Office Action


and favorable reconsideration and allowance is earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: October 11, 2005

Respectfully submitted,

By 

Scott E. Charney
Registration No.: 51,548
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicants